

Education budget: Will it be enough to appease court?

Originally published June 30, 2015 at 8:24 pm Updated June 30, 2015 at 9:52 pm

State lawmakers are congratulating themselves on a job well done after agreeing on a budget that invests an additional \$1.3 billion in public schools, but some say that won't be enough to satisfy the state Supreme Court.

By [Leah Todd](#)

Seattle Times staff reporter

After two special sessions and a late-night agreement on a \$38 billion budget, state lawmakers are patting themselves on the back for deciding to pump an additional \$1.3 billion into Washington's public schools over the next two years.

Among the wins for educators: smaller class sizes in elementary grades, the first cost-of-living increase for teachers in six years, and millions more dollars for classroom supplies.

But despite months of deliberations, an agreement never materialized on how to fix what some say is the most pressing problem in education funding: an overreliance on local property taxes to cover basic education costs.

More money for early education, too

K-12 education wasn't the only area to receive big increases in the state budget. Advocates for early-childhood education cheered an increase of about \$150 million for the state's Department of Early Learning. The money will improve training for child-care providers, expand subsidized preschool and child care, and boost kindergarten readiness. "For us to grow 32 percent is pretty phenomenal, and it's a testament to the Legislature's and the governor's investment in early learning and confidence in what the agency is doing," said Heather Moss, deputy director of the Department of Early Learning.

Nick Brossoit, superintendent of the Edmonds School District and president of the group that sued the state over inadequate and inequitable funding, said that issue was one of

the most important parts of the state Supreme Court's 2012 school-funding decision, known as *McCleary*.

"Once again, the state is coming up short," Brossoit said Tuesday. "They're leaving the biggest problem in place."

State schools chief Randy Dorn agreed, issuing a statement just hours after the budget was released calling it unconstitutional, and asking the court to order the Legislature back into session as soon as possible.

"Three years after the Court ruled in *McCleary vs. Washington*, the State of Washington still has no plan to fully fund our schools and end the inequity produced by reliance on local funding," Dorn said in a statement Monday. "This is no longer just a funding issue — it's a civil-rights issue. Students lucky enough to live in wealthy neighborhoods are getting a 21st-century education, while schools in other neighborhoods make do with less."

Lawmakers in the House also have voted on a four-year delay for the class-size initiative the voters passed last November — angering the state teachers union, but saving \$2 billion in the process. The bill to suspend Initiative 1351 was introduced in the Senate on Tuesday.

And lawmakers didn't do much to tackle the thorny problem of teacher pay, giving educators a 3 percent cost-of-living raise over the next two years and a one-time 1.8 percent increase that expires in 2017.

That was a temporary fix that state Sen. Andy Hill, R-Redmond, the chief GOP budget writer, says will force lawmakers to actually do something about teacher compensation and levy reform in the future.

"We believe that this actually aligns us well as we try and do levy and compensation reform," Hill said Monday.

In the *McCleary* decision, the Supreme Court ruled that lawmakers don't give school districts nearly enough money to cover what it actually costs to provide a basic public

education, which is what the state constitution requires. As a result, districts rely on local tax resources to make up the difference, leading to an uneven education system because wealthier districts can raise more money than poorer ones.

Ultimately, it is the high court's call as to whether lawmakers have made enough progress this year toward picking up more of the tab. Last fall, the Supreme Court justices held lawmakers in contempt for failing to obey a court order to show progress and provide a detailed education spending plan, but they agreed to hold off on sanctions until the 2015 legislative session ends.

Lawmakers then have 15 days to file a report on their progress toward fully funding basic education by the 2017-18 school year.

Some plans surfaced this session that would have addressed local education levies. The House, for example, last week narrowly passed HB 2239, which would have set up a council to come up with recommendations on how to change the school-funding system by 2018. Another bipartisan group led by Sen. Bruce Dammeier, R-Puyallup, introduced SB 6130, which would have lowered the amount of local school levies by increasing state funding.

Neither gained enough traction to pass.

State Rep. Ross Hunter, D-Medina, said HB 2239, which he authored, would have satisfied the Supreme Court.

"We think the plan we produced was legally defensible and was actually a reasonable process for solving the problem," he said. "The court wanted to see a plan, and we sent one over and the Senate doesn't like it. And I haven't seen one from them."

Dammeier has said there was no agreement on how to pay for his bill. On Tuesday, he said House Democrats weren't committed to finding a solution this session.

Both Hunter and Dammeier acknowledged that the Legislature's failure to find a solution on local property-tax levies won't be looked upon favorably by the court.

“I think they’re going to be upset,” said Hunter. “We’re currently in contempt, we certainly have not repaired that on this part of the solution.”

But Hunter also said that lawmakers did demonstrate that they are serious about addressing the McCleary decision. He pointed to more funding for all-day kindergarten classes, and more money for classroom supplies, which were also called out in the court’s decision. Dammeier, too, emphasized a proposed capital budget that he said includes about \$200 million for new classrooms to help schools accommodate a smaller number of students per class.

Still, both agree the local levy problem still needs attention.

“We fixed the first part of McCleary,” Hunter said. “Now we need to fix the second part.”

Seattle Times staff reporters Joseph O’Sullivan and John Higgins contributed to this report. Leah Todd: 206-464-8246 or ltodd@seattletimes.com. On Twitter [@leahktodd](https://twitter.com/leahktodd).